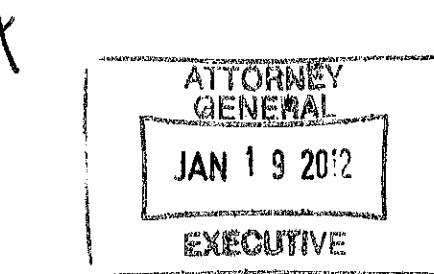


Served Shelley Exeter  
Relationship Exec. Assistant  
Time 2:51 Date 1/19/12  
Address 200 350 N. State  
SLC, UT 84114

#230

WRONA LAW FIRM, P.C.  
S. Brook Millard (#7415)  
11650 So. State St., Ste. 103  
Draper, UT 84020  
Telephone: (801) 676-5252  
Facsimile: (801) 676-5262

Attorneys for Plaintiffs



IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF UTAH, STATE OF UTAH, CENTRAL DIVISION

**ELIZABETH WOOD**, individually and as  
personal representative of the **ESTATE OF  
BRIAN WOOD, JERRY WOOD AND  
BECKY WOOD**.

Plaintiffs,

vs.

**FARMINGTON CITY**, a Utah municipal  
corporation; **DAVIS COUNTY**, a political  
subdivision of the State of Utah; and **SALT  
LAKE CITY**, a Utah municipal corporation;  
and **JOSHUA BOUCHER**, an individual.

Defendants.

AMENDED SUBPOENA DUCES TECUM

Civil No. 2:10-cv-00933-SA

Honorable Judge Dee Benson

To: **ATTORNEY GENERAL**  
**MARK L. SHURTLEFF**  
**5272 SO. COLLEGE DR., #200**  
**SALT LAKE CITY, UT 84123**

(1) You are commanded to appear at the office of WRONA LAW FIRM, P.C. on

Monday February 6, 2012 at 9:00 a.m. to testify at the taking of the records deposition in the above

entitled action pending in the above-named court and to produce copies or permit inspection and copying of any and all documents containing any portion of relevant information or concerning the above-entitled matter.

In the event that all responsive records are delivered to Wrona Law Firm at 11650 So.  
State St., Suite 103, Draper, UT 84020 before the date of the above-referenced records  
deposition, the deposition will be cancelled.

For the purpose of this Subpoena Duces Tecum, the following definitions apply:

“Documents” and/or “Documentation” means, including singular and plural form, “including but not limited to any and all documents, papers, photocopies, records, scanned copies, applications, notes, memoranda, letters, correspondence, written communication, message, agreement, third-party agreement, telegram, phone log, voice mail recording, answering machine recording, audio recording, video recording, journal entry, journal, log, report, status updates, calendar, comment, transcription, book, test, article, application, electronic mail, facsimile, diagnosis, prognosis, information, post-it note, recommendation, advice, suggestion, order, impression, statement, database, spreadsheet, diagram, chart, to-do-list, poster, flyer, handout, speech, talk, billing invoice and statement, payments received, therapy information, medical information, health information, psychological information, drug and/or pharmaceutical information, prescription, treatment, secretarial record, dictation, microcassette transcription, cassette transcription, microcassette, cassette, video, digital versatile disk (DVD), compact disk (CD), VHS, and all other electronically, digitally, analogically, and computer-stored information and record.

(1) Any subpoenaed organization not a party to this suit is hereby admonished, pursuant to Rule 30(b)(6), Utah Rules of Civil Procedure, to file a designation with the court specifying one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and shall set forth, for each person designated, the matters on which he will testify or produce documents or things. The persons so designated shall testify as to matters known or reasonably available to the organization.

(2) A form of notice to persons served with a subpoena must be served with this subpoena. The form explains your rights and obligations. If you are commanded to appear at a trial, hearing or deposition, a one-day witness fee must be served with this subpoena. A one-day witness fee is \$18.50 plus \$1.00 for each 4 miles you have to travel over 50 miles (one direction).

(3) You may object to this subpoena for one of the reasons listed in paragraph 6 of the Notice by serving a written objection upon the attorney listed at the top of this subpoena. You must comply with any part of the subpoena to which you do not object.

Date: January 18, 2012

  
S. Brook Millard  
Attorney for Plaintiffs

**Pursuant to Rule 45, Utah Rules of Civil Procedure, as Amended:**

**NOTICE TO PERSONS SERVED WITH A SUBPOENA**

**Subpoena to produce or to permit inspection of documents  
or tangible things or to permit inspection of premises**

1. If this subpoena commands you to produce or to permit inspection and copying of documents or tangible things, or to permit inspection of premises, but does not command you appear to give testimony at trial, at a hearing, or at a deposition:

- (i) you need not appear in person at the place of production or inspection;
- (ii) you must produce documents as you keep them in the ordinary course of business or organize and label them to correspond with the categories demanded in the subpoena; and
- (iii) you need not make any copies or advance any costs for production, inspection or copying. If you agree to make copies, the party who has served the subpoena upon you must pay the reasonable costs of production and copying.

2. You have the right to object if the subpoena:

(i) fails to allow you a reasonable time for compliance (If you are commanded to produce documents or tangible things, the subpoena must be served on you at least 14 days before the date designated for compliance.);

(ii) requires you, as a resident of Utah, to appear at a deposition or to produce documents, electronic records or tangible things or to permit inspection of premises in a county in which you do not reside, are not employed, or do not transact business in person, unless the judge orders otherwise;

(iii) requires you, as a non-resident of Utah, to appear at a deposition or to produce documents, electronic records or tangible things or to permit inspection of premises in a county other than the county in which you were served, unless the judge orders otherwise;

(iv) requires you to disclose privileged or other protected matter and no exception or waiver applies;

(v) requires you to disclose a trade secret or other confidential research, development, or commercial information;

(vi) subjects you to an undue burden; or

(vii) requires you to disclose an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study that was not made at the request of a party.

3. To object to a subpoena for one of the reasons stated in paragraph 2, you must provide notice in writing of your objection to the party or attorney serving the subpoena before the date specified in the subpoena for you to respond. If your objection is based on either paragraph 2(iv), 2(v), or 2(vii), your written objection must describe the nature of the documents, communications or things that you object to producing with sufficient specificity to enable the party or attorney serving the subpoena to contest your objection. You must also comply with the subpoenas to the extent that it commands production or inspection of materials to which you do not object.

4. After you make timely written objection, the party who has served the subpoena upon you must obtain a court order to compel you to comply with the subpoena. The party must give you a copy of its motion for a court order and notice of any hearing before the court. You have the right to file a response to the motion with the courts and a right to attend any hearing. After you make a timely written objection, you have no obligation to comply with the subpoena until the party serving the subpoena has served you with a court order that compels you to comply.

5. If this subpoena commands you to produce or permit inspection and copying of documents or tangible things, or to permit inspection of premises, and to appear to give testimony at trial, at a hearing, or at a deposition, you may object to the production or inspection of premises, by following the procedures identified in paragraph 4. Even though you object to production or inspection of documents or tangible things, or inspection of premises, you must appear in person at the trial, at the hearing or at the deposition unless you obtain an order of the court or to object to complying with the subpoena, you must file with the court issuing the subpoena a motion to quash or modify the subpoena. You must comply with the subpoena unless you have obtained a court order granting you relief from the subpoena.

6. If the subpoena commands you to produce documents or tangible things, you must produce the documents or tangible things as you keep them in the ordinary course of business or organize and label them to correspond with the categories in the subpoena. The subpoena may require you to produce the documents at the trial, hearing, or deposition or to mail them to the issuing party or attorney. The party issuing the subpoena must pay the reasonable cost of copying and producing the documents or tangible things. You must produce with the documents or tangible things a Declaration of Compliance with Subpoena stating in substance:

- (A) that you have knowledge of the facts contained in the declaration;
- (B) that the documents produced are a full and complete response to the subpoena;
- (C) that originals or true copies of the original documents have been produced; and
- (D) the reasonable cost of copying the documents.

**CERTIFICATE OF SERVICE**

I HEREBY certify that I caused a true and correct copy of the foregoing AMENDED SUBPOENA DUCES TECUM to be sent via electronic mail on this 18 day of January, 2012 to the following:

Allan L. Larson  
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Jeffrey J. Hunt  
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*Attorney for Deseret News and Kristin Murphy*

